

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

| | | |
|---------------------------|---|-------------------|
| BRIAN P. HINKLEY, |) | |
| |) | |
| Movant, |) | |
| |) | |
| v. |) | 1:07-cr-00043-JAW |
| |) | 1:11-cv-00379-JAW |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |

**ORDER AFFIRMING THE RECOMMENDED
DECISION OF THE MAGISTRATE JUDGE**

No objection having been filed to the Magistrate Judge's Recommended Decision filed July 26, 2012, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Movant's 28 U.S.C. § 2255 Motion (ECF No. 119) be and hereby is DENIED. It is further ORDERED that no certificate of appealability should issue in the event the Petitioner files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 22nd day of August, 2012